

REMARKS

Applicant respectfully requests reconsideration of this application, and reconsideration of the Office Action dated January 7, 2005. Upon entry of this Amendment, claims 1-33 and 43 will remain pending in this application. No new matter is incorporated by this Amendment.

As an initial matter, Applicant gratefully acknowledges the Examiner's express indication that claims 1-33 are allowed.

Applicant notes claims 34-42 are canceled by this Amendment thereby rendering the rejections of these claims moot.

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The sole remaining issue concerns the rejection of claim 43 as anticipated by Tuttle (U.S. Pat. No. 6,182,650). Specifically, the Office Action asserted Tuttle clearly anticipates claim 43. Applicant respectfully traverses.

Claim 34 concerns a method of assembling a cooking apparatus. The method includes inserting the collapsible leg assembly into the support stand and positioning said grill assembly so as to be supported by said support stand. Tuttle neither teaches nor fairly describes this feature of the claimed method and thus cannot anticipate the claimed invention.

As can be seen from the Figures, Tuttle is concerned with a Dutch oven stand. Moreover, while Dutch ovens typically have three or more legs attached to the bottom of the Dutch oven, the legs are rigidly attached and are thus not collapsible. This can be seen in Figure 1 where the Dutch oven is placed on the stand with the legs being in their standard downward position. Hence, Tuttle cannot teach the method step of inserting the collapsible leg assembly into the support stand.

In view of the above, Applicant submits this rejection is overcome and requests that it be withdrawn.

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Applicant further respectfully submits that this Amendment and the above remarks obviate each of the outstanding rejections in this case, thereby placing the application in condition for immediate allowance. Allowance of this application is earnestly solicited.

If any fees under 37 C.F.R. §§1.16 or 1.17 are due in connection with this filing, please charge the fees to Deposit Account No. 02-4300; Order No. 031312.019.

If an extension of time under 37 C.F.R. § 1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The extension fee should be charged to Deposit Account No. 02-4300; Order No. 031312.019.

Respectfully submitted,
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